IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

D.C.

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ROBERT R. DI THOLIO

VINCENT LEFFLER and JANIS LEFFLER, Individually, and as next friend of MADISON LEFFLER,

Plaintiffs,

٧.

No. 04-2141

MEMPHIS CITY SCHOOL BOARD OF EDUCATION,

Defendant.

ORDER TO SHOW CAUSE WHY DEFENDANT'S MOTION FOR SUMMARY JUDGMENT SHOULD NOT BE GRANTED

Before the Court is the May 6, 2005 motion for summary judgment by the Defendant, Memphis City School Board of Education, against the Plaintiffs. According to the Court's docket, no response has been filed on behalf of the Plaintiffs, even though the deadline for such a response has expired. Accordingly, the Plaintiffs are hereby directed, within eleven (11) days of the entry hereof, to show cause why the motion referenced herein should not be granted. Failure of the Plaintiffs to comply in a timely manner with this order may result in dismissal with prejudice of Plaintiffs' claims.

IT IS SO ORDERED this (3 day of June 2005.

J. DANIEL BREEN

UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on <u>10-15-05</u>

¹Under the Local Rules of this district, responses to motions for summary judgment "must be filed within thirty days of service of the motion." LR7.2, Local Rules of the U.S. Dist. Ct. for the W. Dist. of Tenn.



Notice of Distribution

This notice confirms a copy of the document docketed as number 17 in case 2:04-CV-02141 was distributed by fax, mail, or direct printing on June 15, 2005 to the parties listed.

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Honorable J. Breen US DISTRICT COURT